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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,749	06/28/2001	Ikuo Sasazaki	826.1732	3645

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EXAMINER

PESIN, BORIS M

ART UNIT	PAPER NUMBER
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2174

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DATE MAILED: 03/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/892,749

Applicant(s)

SASAZAKI ET AL.

Examiner

Boris Pesin

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
  2. Ascertaining the differences between the prior art and the claims at issue.
  3. Resolving the level of ordinary skill in the pertinent art.
  4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
1. Claims 1, 2, 9 – 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schoof, II (US 5440624) in view of Scully et al. (US 5070470).

In regards to claim 1, Schoof teaches a process apparatus, comprising: a storage unit storing information about a discussion at an electronic conference ("transcription and digital storage of a complete record of the conference, Column 3, Line 17); and a judgment unit calculating an index relating to an amount of the discussion ("signals from a large variety of sensors for monitoring any type of human or physical activity" Column 5, Line 48). Schoof does not teach an apparatus that judges whether to hold a face-to-face conference based on the index. However, Schoof teaches that "when the current speaker's communications time-period is about to expire, a warning message is

transmitted" Column 9, Line 10). Scully teaches, "generating a data stream which facilitates the automatic scheduling of a meeting" (Column 5, Line 62). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schoof with the teachings of Scully to include a convenient way of scheduling a meeting in response to a warning message, which monitors the users activity, with the motivation to provide for a convenient way of saving time to schedule meetings.

In regards to claim 2, Schoof and Scully teach all the limitations of claim 1. Scully further teaches an apparatus further comprising a notification unit notifying participants of the electronic conference of a holding of the face-to-face conference if said judgment unit determines to hold the face-to-face conference. ("The trigger entry provides a way to notify either the calendar owner or specified list or lists of calendar users. Notification may occur in the form of an audio alarm and/or a character message.", Column 3, Line 10).

In regards to claim 9, Schoof teaches a process apparatus, comprising: a storage unit storing information about a discussion at an electronic conference ("transcription and digital storage of a complete record of the conference, Column 3, Line 17); and a judgment unit calculating an index relating to a possibility of the discussion diverging ("signals from a large variety of sensors for monitoring any type of human or physical activity" Column 5, Line 48). Schoof does not teach an apparatus that judges whether to hold a face-to-face conference based on the index. However, Schoof teaches that "when the current speaker's communications time-period is about to expire, a warning message is transmitted" Column 9, Line 10). Scully teaches, "generating a data stream

which facilitates the automatic scheduling of a meeting” (Column 5, Line 62). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schoof with the teachings of Scully to include a convenient way of scheduling a meeting in response to a warning message, which monitors the users activity, with the motivation to provide for a convenient way of saving time to schedule meetings.

In regards to claim 10, Schoof teaches a process apparatus for executing a process of an asynchronous electronic conference among a plurality of areas in a distributed environment, comprising: a communications unit transmitting information about a discussion at the electronic conference between areas (“In this embodiment, participants communicating via the data terminals only transmit or receive text and graphic data.” Column 6, Line 43); a storage unit storing the information about the discussion (“transcription and digital storage of a complete record of the conference, Column 3, Line 17). Schoof does not teach a judgment unit judging whether to hold a face-to-face conference based on an amount of the discussion. However, Schoof teaches that “when the current speaker's communications time-period is about to expire, a warning message is transmitted” Column 9, Line 10). Scully teaches, “generating a data stream which facilitates the automatic scheduling of a meeting” (Column 5, Line 62). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schoof with the teachings of Scully to include a convenient way of scheduling a meeting in response to a warning message, which monitors the users activity, with the motivation to provide for a convenient way of saving time to schedule meetings.

In regards to claim 11, Schoof teaches a computer-readable storage medium on which is recorded a program enabling a computer to execute a process, said process comprising; calculating an index relating to an amount of a discussion at an electronic conference ("signals from a large variety of sensors for monitoring any type of human or physical activity" Column 5, Line 48). Schoof does not teach a process judging whether to hold a face-to-face conference based on the index. However, Schoof teaches that "when the current speaker's communications time-period is about to expire, a warning message is transmitted" Column 9, Line 10). Scully teaches, "generating a data stream which facilitates the automatic scheduling of a meeting" (Column 5, Line 62). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schoof with the teachings of Scully to include a convenient way of scheduling a meeting in response to a warning message, which monitors the users activity, with the motivation to provide for a convenient way of saving time to schedule meetings.

In regards to claim 12, Schoof teaches a process method comprising; recording information about a discussion at an electronic conference ("transcription and digital storage of a complete record of the conference, Column 3, Line 17); calculating an index relating to an amount of the discussion ("signals from a large variety of sensors for monitoring any type of human or physical activity" Column 5, Line 48). Schoof does not teach a process judging whether to hold a face-to-face conference based on the index. However, Schoof teaches that "when the current speaker's communications time-period is about to expire, a warning message is transmitted" Column 9, Line 10). Scully teaches, "generating a data stream which facilitates the automatic scheduling of

a meeting" (Column 5, Line 62). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schoof with the teachings of Scully to include a convenient way of scheduling a meeting in response to a warning message, which monitors the users activity, with the motivation to provide for a convenient way of saving time to schedule meetings.

Claim 13 is in the same context as claim 1; therefore it is rejected under similar rationale.

2. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schoof, II (US 5440624) and Scully et al. (US 5070470) in view of Garback et al. (US 5237499).

In regards to claim 3, Schoof and Scully teach all the limitations of claim 2. They do not teach an apparatus further comprising a reservation unit making reservations for facilities needed to hold the face-to-face conference if said judgment unit determines to hold the face-to-face conference, said notification unit notifies expected participants of information about reserved facilities. Garback teaches a method wherein, "The CPU is programmed to select an individual group member itinerary for the specific venue which includes specific airline flights, and if necessary, specific hotel accommodations and specific rental car services." (Abstract, Line 14). Garback further teaches, "A response message, such as is illustrated in FIG. 4, is formatted in step 69 to be returned to the individual group member traveler." (Column 7, Line 15). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schoof and Scully

with teachings of Garback to include a method of reserving facilities needed to hold meetings with the motivation to provide a convenient process of organizing the facilities to host a meeting.

In regards to claim 4, Schoof, Scully, and Garback teach all the limitations of claim 3. Garback further teaches apparatus wherein said reservation unit makes reservations for transportation needed for the expected participants to participate at the face-to-face conference ("The CPU is programmed to select an individual group member itinerary for the specific venue which includes specific airline flights, and if necessary, specific hotel accommodations and specific rental car services." Abstract, Line 14); and said notification unit notifies the expected participants of information about reserved transportation. ("A response message, such as is illustrated in FIG. 4, is formatted in step 69 to be returned to the individual group member traveler." Column 7, Line 15).

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schoof, II (US 5440624) and Scully et al. (US 5070470) in view of Newman et al. (US 6151575).

In regards to claim 5, Schoof and Scully teach all the limitations of claim 1. They do not teach the apparatus according to claim 1, wherein said judgment unit uses a number of speakers in the discussion as the index, and if the number of speakers exceeds a specific value, said judgment unit determines to hold the face-to-face conference. Newman teaches, "After the transforms are produced, the speaker count is incremented (step 630) and a determination is made as to whether the speaker count



exceeds N.sub.s, the number of speakers (i.e., a determination is made as to whether transforms have been generated for all of the speakers) (step 635)." (Column 10, Line 31). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schoof and Scully with the teachings of Newman to include an apparatus to count the number of speakers and compare it against a certain number with the motivation to provide a convenient way of scheduling a meeting based on the user attendance.

4. Claims 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schoof, II (US 5440624) and Scully et al. (US 5070470) in view of Gruen et al. (US 6393460).

In regards to claim 6, Schoof and Scully teach all the limitations of claim 1. Schoof and Scully do not teach the apparatus wherein said judgment unit uses a number of utterances in the discussion as the index, and if the number of utterances exceeds a specific value, said judgment unit determines to hold the face-to-face conference. Gruen teaches, "Chat data is retrieved until the number of utterances reaches a predefined threshold T, step 126, which is sufficient to create a meaningful data set. When the threshold is reached, each utterance retrieved is considered, step 12, and each token in each utterance considered, step 130." (Column 7, Line 20). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schoof and Scully with the teachings of Gruen to include a method to determine if the number of utterances exceeds a threshold value with the motivation to provide a

convenient way to schedule a meeting with other participants based on the level of interaction between participant during the meeting.

In regards to claim 8, Schoof and Scully teach all the limitations of claim 1. Schoof and Scully do not teach the apparatus, wherein said judgment unit uses a data amount of the information about the discussion as the index, and if the data amount exceeds a specific value, said judgment unit determines to hold the face-to-face conference. Gruen teaches, "Chat data is retrieved until the number of utterances [i.e. data amount] reaches a predefined threshold T, step 126, which is sufficient to create a meaningful data set. When the threshold is reached, each utterance retrieved is considered, step 12, and each token in each utterance considered, step 130." (Column 7, Line 20). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schoof and Scully with the teachings of Gruen to include a method to determine if the number of utterances exceeds a threshold value with the motivation to provide a convenient way to schedule a meeting with other participants based on the level of activity during the meeting.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schoof, II (US 5440624) and Scully et al. (US 5070470) in view of Nitta et al. (US 6154764).

In regards to claim 7, Schoof and Scully teach all the limitations of claim 1. They do not teach, process apparatus wherein said storage unit stores information about the

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discussion in a tree structure; and said judgment unit uses a depth of the tree structure as the index, and if the depth of the tree structure exceeds a specific value, said judgment unit determines to hold the face-to-face conference. Nitta teaches, "A plurality of comments can be associated with one message, and a discussion is represented by a tree structure." (Column 1, Line 20). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schoof and Scully with the teachings of Nitta and include a method of having the discussion stored in a tree structure with the motivation to examine the structure of the tree and provide a convenient method of determining whether the conversations at the meeting warrant another conference.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

3750137                      Wong et al.

Shows an electronic conference monitoring system.

6392760                      Ahuja et al.

Teaches a conversation manager that coordinates the activity of a group.

5309555                      Akins et al.

Teaches to display an alert when attention is desired.

6618756                      Katsurabayashi

Teaches a method wherein the states of activities by a plurality of users regarding a given project are kept track of.

6088429                      Garcia

Teaches a method for automatically scheduling an appointment.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Pesin whose telephone number is (703) 305-8774. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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